

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ARY Jewelers, LLC.,)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 04:-CV-10281 EFH
)	
IBJTC Business Credit Corp. and)	
David Molinario,)	
Defendants.)	

**PLAINTIFF'S MOTION TO RE-URGE PLAINTIFF'S
PREVIOUSLY FILED MOTION TO COMPEL**

TO THE UNITED STATES DISTRICT COURT:

COMES NOW, ARY Jewelers, Plaintiff in the above-styled and captioned matter and files this its Motion to Re-urge Plaintiff's Previously Filed Motion to Compel and in support hereof would respectfully show the following:

1. In this lawsuit ARY alleges that the Defendant herein tortiously interfered with its contract and business relationship with a competitor of Defendants. As in many commercial cases, obtaining a full and complete set of Defendants' pertinent documents/records is critical. In this lawsuit, the Defendant has ingeniously failed to provide documents, therefor necessitating Plaintiff's Motion to Compel.

2. On or about June 29, 2004, Plaintiff propounded to Defendant a set of requests for production of documents.

3. On or about July 26, 2004 Defendant served its Response thereto upon Plaintiff. (A copy of Defendants' Responses and Objections hereto attached as Exhibit A.)

4. For the above reasons and so that the best interests of Justice may be rightfully served, Plaintiff re-urges its previously filed Motion to Compel, attached hereto as Exhibit A and respectfully requests this Honorable Court to reconsider said Motion in light of the Courts' recent ruling and in light of the December 11, 2006 trial setting and to grant same, compelling Defendant to produce the requested documents.

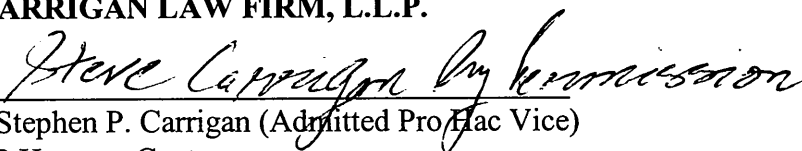
WHEREFORE, Plaintiff asks that this Motion be granted.

Dated: June 1, 2006.

Respectfully submitted,

THE CARRIGAN LAW FIRM, L.L.P.

By:



Stephen P. Carrigan (Admitted Pro Hac Vice)

2 Houston Center

909 Fannin, Suite 1575

Houston, Texas 77010

(713) 739-0810 (telephone)

(713) 739-0821 (telefax)

Attorney-in-Charge for Plaintiff

OF COUNSEL:

THE CARRIGAN LAW FIRM, L.L.P.

Jill L. Groff (Admitted Pro Hac Vice)

2 Houston Center

909 Fannin, Suite 1575

Houston, Texas 77010

(713) 739-0810 (telephone)

(713) 739-0821 (telefax)

Of Counsel for Plaintiff

MAHENDRU, P.C.

Ashish Mahendru BBO#647661

1111 Bagby, Suite 2000

Houston, Texas 77002

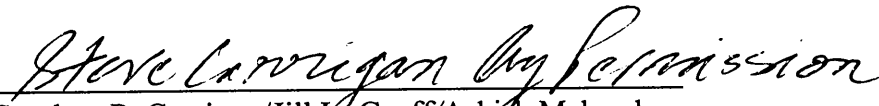
(713) 571-1519 (telephone)

(713) 651-0776 (telefax)

Of counsel for Plaintiff

CERTIFICATE OF CONFERENCE

Pursuant to Local Rule 7.1(A)(2), counsel for Plaintiff conferred with counsel for Defendants and the same opposes the relief requested in the foregoing motion.


Stephen P. Carrigan/Jill L. Groff/Ashish Mahendru

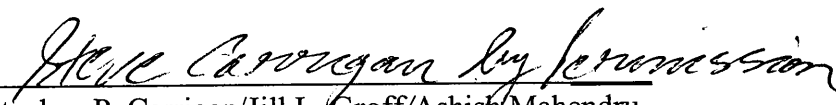
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing instrument was forwarded as indicated below by certified mail, facsimile and/or hand delivery, return receipt requested in accordance with the Federal Rules of Civil Procedure on this 1st day of June, 2006.

Robert S. Fischler
ROPES & GRAY, L.L.P.
45 Rockefeller Plaza
New York, NY 10111

Christopher R. Dillon
Kate Cimini
Ropes & Gray, LLP
One International Place
Boston, MA 02110-2624

Lee S. Gayer
Ropes & Gray, LLP
45 Rockefeller Plaza
New York, N.Y 10111-0087


Stephen P. Carrigan/Jill L. Groff/Ashish Mahendru